

LAURA CURRAN
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COUNTY OF NASSAU
OFFICE OF THE COUNTY ATTORNEY

February 7, 2020

Via ECF

Hon. Ramon E. Reyes, Jr.
United States District Court
Eastern District of New York
225 Cadman Plaza East, Rm N208
Brooklyn, New York 11201

Re: Thomason v. Corporal Donnery & Sgt. James Crawford
17 CV-818 (AMD) (RER)

Dear Judge Reyes:

This office represents defendants, Corporal Donnery and Lieutenant James Crawford s/h/a Sergeant James Crawford, in this matter. We are writing this letter to request that Plaintiff's letter to the undersigned containing settlement discussions [DE # 51] on the Electronic Court Filing system (hereinafter "ECF") be removed.

Plaintiff inappropriately filed the letter that contains settlement discussions and misstatements of Defendants' position in violation of Section II(B) of Your Honor's Motion and Individual Practice Rules that specifically provides, "**Copies of correspondence between counsel shall not be filed or sent to the Court.**" Motion and Individual Practice Rules of Magistrate Judge Ramon E. Reyes, Jr. Moreover, Rule 408 of the Federal Rules of Evidence prohibits evidence of alleged settlement negotiations from being offered to prove either "validity or amount of a disputed claim or to impeach by a prior inconsistent statement or a contradiction." Fed.R.Evid. 408. Certainly, Plaintiff's filing on a public platform is potentially prejudicial to Defendants as it is easily accessible to future triers of fact.

For the foregoing reasons, Defendants request that Plaintiff's letter dated February 7, 2020 under DE # 51 be removed from the docket.

Thank you for your time and attention to this matter.

Respectfully submitted,
/s/ Jennean Rogers
Jennean R. Rogers

cc: William LaVelle, Esq. (Via ECF)

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